

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>FOX INTERNATIONAL RELATIONS,</b>	:	<b>CIVIL ACTION</b>
<b>MICHAEL LISITSA, and NATAN LISITSA</b>	:	
<b>Plaintiffs,</b>	:	
<b>vs.</b>	:	
	:	
<b>ERIC LAUCIUS, MICHAEL KOGAN and</b>	:	
<b>DOES I - III</b>	:	<b>NO. 04-5877</b>
<b>Defendants.</b>	:	

**ORDER**

**And Now**, this 22nd day of December 2009, upon consideration of Plaintiff Fox International Relations's Motion for Entry of Summary Judgment Against Defendant Eric Laucius (Document No. 113, filed March 3, 2009; Document No. 115, filed March 4, 2009); Plaintiffs' Lisitsa,[sic] Natan Lisitsa and Fox Internatinal [sic] Motion for Judgment by Default Against Defendant Michael Kogan (Document 112, filed March 3, 2009), Defendant Eric Laucius's Motion for Summary Judgment (Document No. 123, filed June 6, 2009) and Defendant Eric Laucius's Motion for Sanctions (Document No. 124, filed June 9, 2009); and related submissions of the parties, for the reason set forth in the Memorandum dated December 22, 2009, **IT IS ORDERED**, as follows:

1. Plaintiffs' Motion for Summary Judgment in their favor on their claims against defendant Eric Laucius asserted in the Third Amended Complaint is **DENIED**. The Court, concluding that the evidence presented by plaintiffs in support of their claims against defendant Eric Laucius in their Third Amended Complaint is insufficient, *sua sponte*, enters **JUDGMENT** in **FAVOR** of defendant Eric Laucius and **AGAINST** plaintiffs on those claims.

2. Eric Laucius's Motion for Summary Judgment in his favor on the Counterclaims<sup>1</sup> against

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<sup>1</sup> A copy of the "Answer, Counterclaims, Cross Claims [sic] of Defendant Eric Laucius, and Answer of Cross Claims to Third Amended Complaint" shall be docketed by the Deputy Clerk.

plaintiffs Michael Lisitsa and Natan Lisitsa is **DENIED**. Plaintiffs' response to defendant Eric Laucius's Motion for Summary Judgment in his favor, treated as a motion for summary judgment on the Counterclaims, is **GRANTED** with respect to the Counterclaims. **JUDGEMENT** is entered in **FAVOR** of plaintiffs Michael Lisitsa and Natan Lisitsa and **AGAINST** defendant Eric Laucius on the Counterclaims;

3. Defendant Eric Laucius's Motion for Sanctions is **DENIED**;

4. A ruling on plaintiffs' Motion for Default Judgment Against Kogan is **DEFERRED**, pending an assessment of damages hearing;

5. Defendants "John Does I - III" are **DROPPED** from this action. The caption of this case shall be **AMENDED** to delete all reference to John Does I - III.

6. **JUDGEMENT** is entered in **FAVOR** of defendant Michael Kogan and **AGAINST** defendant Eric Laucius on Laucius's Counterclaim and Cross-claim against Kogan for contribution and indemnity;

7. Laucius's Counterclaim and Cross-claim against Marat Tsierelson is **DISMISSED** on the ground that Tsierelson is not a party to this action;

**IT IS FURTHER ORDERED** that the Court will schedule an assessment of damages hearing on plaintiffs' Motion for Default Judgment against defendant Michael Kogan in due course.

BY THE COURT:

/s/ Jan E. DuBois

JAN E. DUBOIS, J.